



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

EPA Region 5 Records Ctr.



303220

MAR 27 2000

REPLY TO THE ATTENTION OF

CERTIFIED MAIL

RETURN RECEIPT REQUESTED

Wayne Disposal, Inc.
49350 N. Interstate 94 Service
Belleville, Michigan 48111-1854

Re: Request for Information Pursuant to Section 104 of CERCLA
for Chemical Recovery Systems Site ("CRS Site"), Elyria, Ohio

Dear Sir or Madam:

This letter seeks your cooperation in providing information and documents relating to the contamination of the Chemical Recovery Systems Site in Elyria, Ohio. A Superfund site is a site contaminated with hazardous substances that may present a threat to human health or the environment.

The United States Environmental Protection Agency (U.S. EPA) is investigating the release or threat of release of hazardous substances, pollutants or contaminants at the Chemical Recovery Systems Site. The U.S. EPA is seeking information concerning the generation, storage, treatment, transportation, and disposal methods of hazardous substances that have been, or threaten to be, released from the Site. The U.S. EPA will study the effects of these substances on the environment and public health. In addition, U.S. EPA will identify activities, materials and parties that contributed to contamination at the Site. The U.S. EPA believes that you possess information which may assist the Agency in its investigation of the Site. Attachment 1 is a summary of the information that U.S. EPA has about the Site.

We encourage you to give this matter your immediate attention. Please provide a complete and truthful response to this Information Request and its questions in Attachment 2 within thirty (30) days of your receipt of this letter. Instructions to guide you in the preparation of your response are in Attachment 3. Definitions of the terms used in this Information Request and in the questions are in Attachment 4.

You may consider confidential the information that U.S. EPA is requesting. Under CERCLA you may not withhold information on that basis, but you may ask U.S. EPA to treat the information as confidential. To request that the Agency treat your information as confidential, you must follow the procedures outlined in Attachment 5, including the requirement that you support your claim for confidentiality.

We make this request under the federal **Superfund** law (the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. Section 9601, et seq., commonly referred to as **CERCLA** or **Superfund**). The Superfund law gives U.S. EPA the authority to assess the threats to human health and the environment posed by contaminated sites and to cleanup those sites. Under Section 104(e)(2) of CERCLA, 42 U.S.C. Section 9604 (e)(2), the U.S. EPA has information-gathering authority that allows the Agency to require persons and corporations to furnish information or documents. Attachment 6 is a summary of the legal authority.

Compliance with this Information Request is mandatory. The Superfund statute provides that failure to answer the questions fully and truthfully, and within the prescribed time frame, can result in an enforcement action and penalties. Other statutes provide that the submission of false, fictitious statements or misrepresentations can result in sanctions.

The U.S. EPA has the authority to use the information that it requests in an administrative, civil or criminal action.

This Information Request is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. section 3501 et seq.

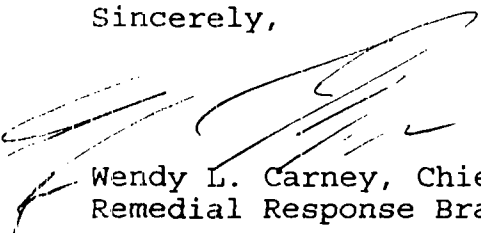
Return your response to U.S. EPA within thirty (30) days to:

U.S. Environmental Protection Agency
Deena Sheppard-Johnson, SR-6J
Remedial Enforcement Support Section
77 West Jackson Blvd.
Chicago, Illinois 60604

If you have any legal questions, please call Thomas Nash, our attorney, at (312) 353-0552. If you have technical questions about this Site, please call Gwendolyn Massenburg, Remedial Project Manager, at (312) 886-0983. Address all other questions to Deena Sheppard-Johnson, Enforcement Specialist, at (312) 886-7048.

We appreciate your assistance and look forward to your prompt response to this Information Request.

Sincerely,



Wendy L. Carney, Chief
Remedial Response Branch #1

Enclosure: Small Business Notice

Attachments: 1. Site History
 2. Questions
 3. Instructions
 4. Definitions
 5. Confidential Business Information
 6. Legal Authority

Attachment 1

SITE HISTORY

The Chemical Recovery Systems Site ("CRS Site") is located at 142 Locust Street in Elyria, Ohio. The CRS Site is bordered on the west by the East Branch of the Black River, to the north and east by the Engelhard (formerly Harshaw) Chemical Company, and to the south by M&M Aluminum Siding Company. The CRS Site is located in a predominantly industrial and commercial area near the central business district of Elyria. The CRS Site consists of a four acre parcel that is currently leased to M&M Aluminum which uses the Site property to store aluminum siding. Most of the four acre parcel is empty. Two buildings are currently on the CRS Site: a former warehouse and office building and the masonry shell of a building that housed a Rodney Hunt still. These buildings are located in the southeast corner of the CRS Site. The foundation of a building that housed a Brighton still is located in the northeast corner of the CRS Site. The Site is fenced on all sides except the side bounded by the East Branch of the Black River.

Beginning no later than the 1940s the CRS Site was used for commercial and industrial purposes such as a coal yard. During the 1950s, Harshaw Chemical briefly leased the CRS Site to store saggars. In 1960, Russell Obitts leased the CRS Site property and relocated his existing business, the Obitts Chemical Company, which reclaimed spent organic solvents, to the CRS Site property. Later Russell Obitts and Dorothy Obitts purchased this property.

In 1974, Chemical Recovery Systems, Inc., a Michigan corporation ("CRS, Inc., - MI"), assumed operations at the CRS Site through a stock purchase agreement with the Obitts Chemical Company. In a separate agreement CRS, Inc., - MI leased the CRS Site property from Russell Obitts and Dorothy Obitts in a lease agreement with an option to purchase. A year later CRS, Inc., - MI exercised its purchase option. CRS, Inc., - MI continued operations at the CRS Site until 1981.

Operating as Obitts Chemical Company and then as CRS, Inc., - MI the facility located on the Site received spent organic solvents from industrial facilities and reclaimed the solvents through distillation processes. Both operators hauled contaminated solvents to the Site facility by their own tanker trucks and stake trucks hauling 55 gallon drums. Spent solvents were stored in above ground tanks and 55 gallon drums. Soil contamination occurred through leakage and spills. Spent solvents that were transported to the CRS Site include, but are not limited to, the following: acetone, hexane, isopropyl alcohol, methylene ethyl ketone (MEK), tetrachloroethane, toluene, trichloroethane, and xylene. Analysis of samples that U.S. Environmental Protection Agency ("U.S. EPA") collected on November 26, 1979, at the CRS Site detected PCE, ethyl benzene, and naphthalene. A solvent sample collected on February 5, 1980 contained toluene, ethyl benzene, xylene, and naphthalene. During a visit on February 5, 1980, by U.S. EPA to the CRS Site an employee of the facility identified specific solvents reclaimed as well as paint solvents generally.

Because the CRS Site posed imminent danger to the local population and the environment, U.S. EPA initiated an action under the Resource Recovery and Conservation Act ("RCRA"). On October 7, 1980, the U.S. Department of Justice ("U.S. DOJ"), on behalf of U.S. EPA, filed an action against CRS, Inc., - MI in the U.S. District Court, Northern District of Ohio, to abate an imminent and substantial endangerment to public health and the environment from the CRS Site. On July 12, 1983, the District Court entered a Consent Decree that required CRS, Inc., - MI to take these and other actions: excavate all visibly contaminated soils identified during a joint U.S. EPA and CRS, Inc., - MI inspection; excavate the perimeter of the Brighton still to a specified depth and distance; dispose of the excavated soil at an approved waste disposal site; backfill the excavated areas; and grade the CRS Site. After its inspection of the CRS Site November 7, 1983, U.S. EPA concluded that CRS, Inc., - MI was in compliance with the July 12, 1983 Consent Decree.

Because hazardous substances released at the CRS-Site remain in the soil and groundwater at elevated levels, U.S. EPA is now taking response actions, under the authority of Section 104 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 and its amendments. These actions address potential risk to human health and the environment at the CRS Site.

Attachment 2

QUESTIONS

1. Identify all persons consulted in the preparation of the answers to these questions.
2. Identify all documents consulted, examined, or referred to in the preparation of the answers to these questions and provide copies of all such documents.
3. If you have reason to believe that there may be persons able to provide a more detailed or complete response to any question or who may be able to provide additional responsive documents, identify such persons. For each individual identified in response to this question provide the current, or the most recently known, address, telephone number, and e-mail address.
4. List the EPA Identification Numbers of the Respondent.
5. Identify all persons including respondent's employees, who have knowledge or information about the customers of the Chemical Recovery Services, Inc., or the generation, use, treatment, storage, disposal or other handling of material at or transportation of materials to the CRS-Elyria Site.
6. Specify the dates during which the Respondent engaged in any of the following activities:
 - a) Ownership of all or any portion of the CRS-Elyria Site;
 - b) Generation of hazardous materials which were potentially or ultimately recycled or disposed of at the CRS-Elyria Site;
 - c) Transportation of any material to the CRS-Elyria Site;
 - d) Operation of the CRS-Elyria Site.
7. Identify any and all companies, firms, facilities and individuals who supplied materials containing the hazardous substances for use or processing at the CRS-Elyria Site.
8. Identify any and all companies or persons whose chemicals, hazardous wastes, hazardous substances or other materials have ever been treated, stored, or disposed of at the CRS-Elyria Site, including information regarding the following:
 - a. Location and address of each such company or person who sent such materials, including contact person(s) within said companies;

- b. Shipping records pertaining to such materials sent by each such company or person, including but not limited to invoices, bills of lading, weight tickets, and purchase orders;
 - c. Identification and location of all companies and individuals who transported said materials; and
 - d. Provide copies of any and all records on which the responses to parts a through c are based.
9. Provide a copy of all minutes of the meetings of the Board of Directors, Executive Committee, Finance Committee, Management Committee and all other committees which the Respondent may have, from the 1960s to the present that relate to the operation of the CRS-Elyria facility or that identify its customers or suppliers.
10. Identify all meetings and communications which the officers, directors, or employees of Chemical Recovery Systems, Inc., a Michigan corporation, participated in or attended regarding the operations of the CRS-Elyria Site facility.
11. Identify what, if any, reports, statements, or other documents the officers or directors of the respondent wrote or received regarding the operations of the CRS-Elyria Site and describe what, if any, information the officers and directors received concerning the operations of the facility.
12. Provide a copy of any and all bookkeeping records of the Chemical Recovery Services facility located in Elyria, Ohio for the period 1974 through 1985 including, but not limited to, those turned over to the firm of Jenkins, Eschman and Magnus, Bloomfield Hills, Michigan. In addition, provide the following:
- a. The document retention policy of Chemical Recovery Systems, Inc., a Michigan corporation, between January 1, 1974 and the present,
 - b. The name, job title and most current address known by you of the person(s) who would have produced these documents, the person(s) who would have been responsible for the retention of these documents; and the person(s) who had and/or still may have the originals or copies of these documents,
 - c. The names and most current address of any person(s) or entity which may possess documents relevant to this inquiry.
13. To the extent that you know, describe the relationship between Jenkins, Eschman and Magnus and CRS, Inc., a Michigan corporation.

ATTACHMENT 3

INSTRUCTIONS

1. Answer each of the questions in this Information Request separately.
2. Precede each answer with the number of the question to which it corresponds.
3. In answering each question, identify all persons and contributing sources of information.
4. Although the U.S. EPA seeks your cooperation in this investigation, CERCLA requires that you respond fully and truthfully to this Information Request. False, fictitious, or fraudulent statements or misrepresentations may subject you to civil or criminal penalties under federal law. Section 104 of CERCLA, 42 U.S.C. Section 9604, authorizes the U.S. EPA to pursue penalties for failure to comply with that Section, or for failure to respond adequately to requests for submissions of required information.
5. In answering each question, identify all persons and contributing sources of information.
6. You must supplement your response to U.S. EPA if, after submission of your response, additional information should later become known or available. Should you find at any time after the submission of your response that any portion of the submitted information is false or misrepresents the truth, you must notify U.S. EPA as soon as possible.
7. For any document submitted in response to a question, indicate the number of the question to which it responds.
8. You must respond to each question based upon all information and documents in your possession or control, or in the possession or control of your current or former employees, agents, contractors, or attorneys. Information must be furnished regardless of whether or not it is based on your personal knowledge, and regardless of source.
9. Your response must be accompanied by the following statement, or one that is substantially equivalent:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted.

Based upon my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

The individual who prepared the response or the responsible corporate official acting on behalf of the corporation must sign and date the statement, affidavit, or certification. Include the corporate official's full title.

10. If any of the requested documents have been transferred to others or have otherwise been disposed of, identify each document, the person to whom it was transferred, describe the circumstances surrounding the transfer or disposition, and state the date of the transfer or disposition.
11. All requested information must be provided notwithstanding its possible characterization as confidential information or trade secrets. If desired, you may assert a business confidentiality claim by means of the procedures described in Attachment 5.

ATTACHMENT 4

DEFINITIONS

1. As used in this letter, words in the singular also include the plural and words in the masculine gender also include the feminine and vice versa.
2. The term **person** as used herein includes, in the plural as well as the singular, any natural person, firm, contractor, unincorporated association, partnership, corporation, trust or governmental entity, unless the context indicates otherwise.
3. **The Site** referenced in these documents shall mean the Chemical Recovery Systems Site located in Elyria, Ohio.
4. The term **hazardous substance** shall have the same definition as that contained in Section 101(14) of CERCLA, including any mixtures of such hazardous substances with any other substances, including petroleum products.
5. The term, **pollutant** or **contaminant**, shall have the same definition as that contained in Section 101(33) of CERCLA, and includes any mixtures of such pollutants and contaminants with any other substances.
6. The term **release** shall have the same definition as that contained in Section 101(22) of CERCLA, and means any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment, including the abandonment or discarding of barrels, containers, and other closed receptacles containing any hazardous substance, pollutant, or contaminant.
7. The term **identify** means, with respect to a natural person, to set forth the person's full name, present or last known business address and business telephone number, present or last known home address and home telephone number, and present or last known job title, position or business.
8. The term **identify** means, with respect to a corporation, partnership, business trust or other association or business entity (including a sole proprietorship), to set forth its full name, address, legal form (e.g., corporation, partnership, etc.), organization, if any, and a brief description of its business.

9. The term **identify** means, with respect to a document, to provide its customary business description, its date, its number, if any (invoice or purchase order number), the identity of the author, addressor, addressee and/or recipient, and the substance or the subject matter.
10. The term **"you"**, **"yours"** or **"Respondent"** shall mean the addressee of this Request, the addressee's officers, managers, employees, contractors, trustees, predecessors, partners, successors, assigns, subsidiaries and agents.
11. The term **"dump"** as used herein shall mean an accumulation of refuse and discarded materials and/or a place where such materials are dumped.
12. All terms not defined herein shall have their ordinary meaning, unless such terms are defined in CERCLA, RCRA, 40 C.F.R., Part 300 or 40 C.F.R., Part 260-280, in which case, the statutory or regulatory definitions shall apply.

ATTACHMENT 5

CONFIDENTIAL BUSINESS INFORMATION

You may consider some of the information confidential that the U.S. Environmental Protection Agency (U.S. EPA or Agency) is requesting. You cannot withhold information or records upon that basis. The Regulations at 40 C.F.R. Part 2, Section 200 *et seq* require that the U.S. EPA affords you the opportunity to substantiate your claim of confidentiality before the Agency makes a final determination on the confidentiality of the information.

You may assert a business confidentiality claim covering part or all of the information requested, in the manner described by 40 C.F.R. 2.203(b). Information covered by such a claim will be disclosed by the U.S. EPA only to the extent and only by means of the procedures set forth in 40 C.F.R. Part 2, Subpart B. (See 41 Federal Register 36902 *et seq.* (September 1, 1976); 43 Federal Register 4000 *et seq.* (December 18, 1985).) If no such claim accompanies the information when the U.S. EPA receives it, the information may be made available to the public by the Agency without further notice to you. Please read carefully these cited regulations, together with the standards set forth in Section 104(e)(7) of Comprehensive Environmental Response Compensation Liability Act (CERCLA), because, as stated in Section 104(e)(7)(ii), certain categories of information are not properly the subject of a claim of confidential business information.

If you wish the U.S. EPA to treat the information or record as "confidential", you must advise the U.S. EPA of that fact by following the procedures described below, including the requirement for supporting your claim of confidentiality. To assert a claim of confidentiality, you must specify which portions of the information or documents you consider confidential. Please identify the information or document that you consider confidential by page, paragraph, and sentence. You must make a separate assertion of confidentiality for each response and each document that you consider confidential. Submit the portion of the response that you consider confidential in a separate, sealed envelope. Mark the envelope "confidential", and identify the number of the question to which it is the response.

For each assertion of confidentiality, identify:

1. The period of time for which you request that the Agency consider the information confidential, e.g., until a specific date or until the occurrence of a specific event;
2. The measures that you have taken to guard against disclosure of the information to others;

3. The extent to which the information has already been disclosed to others and the precautions that you have taken to ensure that no further disclosure occurs;
4. Whether the U.S. EPA or another federal agency has made a pertinent determination on the confidentiality of the information or document. If an agency has made such a determination, enclose a copy of that determination;
5. Whether disclosure of the information or document would be likely to result in substantial harmful effects to your competitive position. If you believe such harm would result from any disclosure, explain the nature of the harmful effects, why the harm should be viewed as substantial, and the causal relationship between disclosure and the harmful effect. Include a description of how a competitor would use the information;
6. Whether you assert that the information is voluntarily submitted as defined by 40 C.F.R. 2.201(I). If you make this assertion, explain how the disclosure would tend to lessen the ability of the U.S. EPA to obtain similar information in the future;
7. Any other information that you deem relevant to a determination of confidentiality.

Please note that pursuant to 40 C.F.R. 2.208(e), the burden of substantiating confidentiality rests with you. The U.S. EPA will give little or no weight to conclusory allegations. If you believe that facts and documents necessary to substantiate confidentiality are themselves confidential, please identify them as such so that the U.S. EPA may maintain their confidentiality pursuant to 40 C.F.R. 2.205(c). If you do not identify this information and documents as "confidential", your comments will be available to the public without further notice to you.

ATTACHMENT 6

DESCRIPTION OF LEGAL AUTHORITY

The federal Superfund law (the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. Section 9601, et seq. (commonly referred to as **CERCLA** or **Superfund**) gives U.S. EPA the authority to, among other things: 1) assess contaminated sites, 2) determine the threats to human health and the environment posed by each site, and, 3) clean up those sites.

Under Section 104(e)(2) of CERCLA, 42 U.S.C. Section 9604 (e)(2), U.S. EPA has broad information gathering authority which allows U.S. EPA to require persons to furnish information or documents relating to:

A. The identification, nature, and quantity of materials which have been or are generated, treated, stored, or disposed of at a vessel or facility, or transported to a vessel or facility;

B. The nature or extent of a release or threatened release of a hazardous substance or pollutant or contaminant at/or from a vessel or facility;

C. The ability to pay the costs of the clean-up.

Compliance with this Information Request is mandatory. Failure to respond fully and truthfully to each question within this Information Request and within the prescribed time frame can result in an enforcement action by U.S. EPA pursuant to Section 104(e)(5) of CERCLA. This Section also authorizes an enforcement action with similar penalties if the recipient of the Request does not respond and does not justify the failure to respond. Other statutory provisions (18 U.S.C. Section 1001) authorize separate penalties if the responses contain false, fictitious or fraudulent statements. [If the 104(e) recipient is a witness with little likelihood of liability under CERCLA, omit the sentence that follows.] The U.S. EPA has the authority to use the information requested in this Information Request in an administrative, civil or criminal action.

Supplemental Information for Small Businesses Subject to an U.S. EPA Enforcement Action

The United States Environmental Protection Agency (EPA) offers small businesses a wide variety of compliance assistance resources and tools designed to assist businesses to comply with federal and state environmental laws. These resources can help businesses understand their obligations, improve compliance and find cost-effective ways to comply through the use of pollution prevention and other innovative technologies.

Websites

EPA offers a great deal of compliance assistance information and materials for small businesses on the following Websites, available through public libraries:

➡ www.epa.gov	<i>EPA's Home Page</i>
➡ www.smallbiz-enviroweb.org	<i>EPA's Small Business Home Page</i>
➡ www.smallbiz-enviroweb.org/state.html	<i>List of State Contacts</i>
➡ www.epa.gov/ttn/sbap	<i>Small Business Assistance Programs</i>
➡ www.epa.gov/oeca/polguid/index.html	<i>Enforcement Policy and Guidance</i>
➡ www.epa.gov/oeca/smbusi.html	<i>Small Business Policy</i>
➡ www.epa.gov/oeca/oc	<i>Compliance Assistance Home Page</i>
➡ www.epa.gov/oeca/ccsmd/commpull.html	<i>Small Businesses and Commercial Services</i>
➡ www.epa.gov/oeca/ccsmd/mun.html	<i>Small Communities Policy</i>

Hotlines

EPA sponsors approximately 89 hotlines and clearinghouses that provide a free and convenient avenues to obtain assistance with environmental requirements. The Small Business Ombudsman Hotline can provide you with a list of all the hot lines and assist you with determining which hotline will best meet your needs. Key hotlines that may be of interest to you include:

➡ Small Business Ombudsman.....	(800) 368-5888
➡ RCRA/UST/CERCLA Hotline.....	(800) 424-9346
➡ Toxics Substances and Asbestos Information.....	(202) 554-1404
➡ Safe Drinking Water.....	(800) 426-4791
➡ Stratospheric Ozone/CFC Information.....	(800) 296-1996
➡ Clean Air Technical Center.....	(919) 541-0800
➡ Wetlands Hotline.....	(800) 832-7828

Compliance Assistance Centers

EPA has established national compliance assistance centers, in partnership with industry, academic institutions, and other federal and state agencies, that provide on line and fax back assistance services in the following sectors heavily populated with small businesses:

- ➡ Metal Finishing (www.nmfrc.org)
- ➡ Printing (1-888-USPNEAC or www.pneac.org)
- ➡ Automotive (1-888-GRN-LINK or www.ccar-greenlink.org)

- ➡ Agriculture (1-888-663-2155 or www.epa.gov/oeca/ag)
- ➡ Printed Wiring Board Manufacturing (www.pwbrc.org)
- ➡ The Chemical Industry (Contact: Emily Chow 202-564-7071)
- ➡ The Transportation Industry (<http://www.transource.org>)
- ➡ The Paints and Coatings Center (Contact: Scott Throwe 202-564-7013)
- ➡ Local Governments (Contact: John Dombrowski, 202-564-7036)

**State
Agencies**

Many state agencies have established compliance assistance programs that provide on- site as well as other types of assistance. Please contact your local state environmental agency for more information. EPA's Small Business Ombudsman can provide you with State Agency contacts by calling (800)-368-5888.

**Compliance
Incentive
Policies**

EPA's Small Business Policy and Small Communities Policy are intended to promote environmental compliance among small businesses by providing incentives such as penalty waivers and reductions for participation in compliance assistance programs, and encouraging voluntary disclosure and prompt correction of violations. These policies can not be applied to an enforcement action such as this one that has already been initiated, but are noted for future reference. Contact Karin Leff (202-564-7068) for information on the Small Business Policy and Ken Harmon (202-564-7049) for information on the Small Communities Policy.

In order to improve your understanding of and compliance with environmental regulations and avoid the need for future enforcement actions, we encourage you to take advantage of these tools. ***However, please note that any decision to seek compliance assistance at this time does not relieve you of your obligation to answer EPA's administrative complaint in a timely manner, does not create any new rights or defenses, and will not affect EPA's decision to pursue this enforcement action.***

The Small Business and Agriculture Regulatory Enforcement Ombudsman and ten Regional Fairness Boards were established to receive comments from small businesses about federal agency enforcement actions. The Ombudsman will annually rate each agency's responsiveness to small businesses. If you believe that you fall within the Small Business Administration's definition of a small business (based on your SIC designation, number of employees or annual receipts) and wish to comment on federal enforcement and compliance activities, call 1-888-REG-FAIR (1-888-734-3247). ***However, participation in this program does not relieve you of your obligation to respond to an EPA request, administrative or civil complaint or other enforcement action in a timely manner nor create any new rights or defenses under law. In order to preserve your legal rights, you must comply with all rules governing the administrative enforcement process. The ombudsman and fairness boards do not participate in the resolution of EPA's enforcement action.***

Dissemination of this information sheet does not constitute an admission or determination by EPA that your business, organization or governmental jurisdiction is a small entity as defined by SBREFA or related provisions nor does it create any new rights or defenses under law.